

# Presidential Documents

Title 3—

**Executive Order 13409 of July 3, 2006**

**The President**

## **Establishing an Emergency Board To Investigate a Dispute Between Southeastern Pennsylvania Transportation Authority and Its Locomotive Engineers Represented by the Brotherhood of Locomotive Engineers and Trainmen**

A dispute exists between Southeastern Pennsylvania Transportation Authority (SEPTA) and its employees represented by the Brotherhood of Locomotive Engineers and Trainmen (BLET).

The dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended, 45 U.S.C. 151–188 (RLA).

A party empowered by the RLA has requested that the President establish an emergency board pursuant to section 9A of the RLA (45 U.S.C. 159a).

Section 9A(c) of the RLA provides that the President, upon such request, shall appoint an emergency board to investigate and report on the dispute.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States, including section 9A of the RLA, it is hereby ordered as follows:

**Section 1. Establishment of Emergency Board (Board).** There is established, effective 12:01 a.m. eastern daylight time on July 8, 2006, a Board of three members to be appointed by the President to investigate and report on this dispute. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The Board shall perform its functions subject to the availability of funds.

**Sec. 2. Report.** The Board shall report to the President with respect to this dispute within 30 days of its creation.

**Sec. 3. Maintaining Conditions.** As provided by section 9A(c) of the RLA, from the date of the creation of the Board and for 120 days thereafter, no change in the conditions out of which the dispute arose shall be made by the parties to the controversy, except by agreement of the parties.

**Sec. 4. Records Maintenance.** The records and files of the Board are records of the Office of the President and upon the Board's termination shall be maintained in the physical custody of the National Mediation Board.

**Sec. 5.** *Expiration.* The Board shall terminate upon the submission of the report provided for in section 2 of this order.

A handwritten signature in black ink, appearing to read "George W. Bush".

THE WHITE HOUSE,  
*July 3, 2006.*

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